

PERSONNEL BOARD - APPEAL HEARING MINUTES
MONDAY, SEPTEMBER 30, 2015
6:00 P.M.

PRESENT: Pat Carnevale, Chairperson; Norberto Alvarez, Vice-Chairperson; Zoraya Pena, Member; Stephen Dielmann, Member; Luis Zubieta, Member; **ALSO PRESENT:** Lorena Bravo, City Attorney; Gelien Perez, Acting HR Director; Owen Kohler, Assistant City Attorney; and Annette Otaño, Secretary.

Hearing requested by Jose L. Hernandez to discuss the following item:

APPEAL OF 5-DAY SUSPENSION

Lorena Bravo, Acting City Attorney, had all those in attendance that may be called to testify to stand and swore them in.

The parties submitted the following exhibits marked and entered into evidence:

AFSCME Exhibits (submitted by AFSCME UNION)

1. Copy of Letter from Jose L. Hernandez regarding disciplinary action with attached with signatures from Jose L. Hernandez's coworkers.

City of Hialeah Exhibits (submitted by Owen Kohler, City of Hialeah Assistant City Attorney)

1. Copy of the City of Hialeah Disciplinary Guidelines.
2. Copy of the Civil Services Rules And Regulations, Rule X - Suspension, Reduction or Removal.
3. Copy of Disciplinary Action dated August 18, 2015.
4. Copy of the City of Hialeah Vehicle Use Policy.
5. Copy of Accident Report and Pictures.
6. Copy of the City of Hialeah Safety Regulations Policy.

At the conclusion of the testimony of the witnesses present and argument of counsel, the Personnel Board made the following motions:

Motion made by Ms. Pena to reduce Jose L. Hernandez suspension from 5 days to 2 days. Second by Mr. Alvarez. Passed by unanimous vote.

If any person decides to appeal any decision made by the Personnel Board with respect to any matter considered at this meeting, he/she will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans and Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the Office of the City Clerk no later than seven (7) days prior to the proceeding. Telephone (305) 883-5820 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE), for assistance